

~~March 21, 2006 CPC~~
April 26, 2006 BS



STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06SN0197

Michael A. Cole

West line of Jefferson Davis Highway
Bermuda Magisterial District

REQUEST: Rezoning from Community Business (C-3) and Light Industrial (I-1) to General Business (C-5).

PROPOSED LAND USE:

Outdoor recreational use and auction sales are planned. With approval of this request, uses permitted by right or with restrictions in the General Business (C-5) District would be permitted, except as restricted by the Proffered Condition.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITION ON
PAGE 2.

AYES: MESSRS. WILSON, GECKER, BASS AND LITTON.
ABSENT: MR. GULLEY.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. The proposed zoning and land uses conform to the Jefferson Davis Corridor Plan which suggests the property is appropriate for general business use.
- B. The proposed zoning and land uses are representative of, and compatible with, existing and anticipated area development.

(NOTE: THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITION

(STAFF/CPC) Uses permitted shall be limited to those uses permitted by right or with restrictions in the General Business (C-5) District except the following uses shall not be permitted:

1. Travel trailer parks;
2. Manufactured home, modular home and travel trailer sales, service, repair and rental;
3. Motels, motor courts or tourist homes;
4. Tractor-trailer service stations; and,
5. Truck terminal

GENERAL INFORMATION

Location:

West line of Jefferson Davis Highway, south of Walmsley Boulevard. Tax IDs 789-692-part of 4413 and 6959 (Sheet 12).

Existing Zoning:

I-1 and C-3 with Conditional Use Planned Development

Size:

6.3 acres

Existing Land Use:

Commercial

Adjacent Zoning and Land Use:

North - C-5; Commercial or vacant
South - C-3 and C-5; Commercial or vacant
East - I-3; Industrial or vacant
West - R-7; Single family residential or vacant

UTILITIES

Public Water System:

There is an existing eight (8) inch water line extending across this site from east to west connecting both segments of Grindall Parkway. In addition, a four (4) inch water line extends from Grindall Parkway, north along the eastern boundary of the request site. Use of the public water system is required by County Code.

Public Wastewater System:

An eight inch wastewater collector line extends along Pate Avenue and along a portion of the southeastern boundary of this site. Use of the public wastewater system is required by County Code.

ENVIRONMENTAL

The property drains to Grindall Creek which runs through the center of the property and then to the James River. There are currently no on or off site drainage or erosion problems with none anticipated after development. Grindall Creek is a perennial stream and, as such, is subject to a 100 foot conservation area. Approximately sixty-five percent (65%) of the property being requested for rezoning is within the Resource Protection Area (RPA) and, as such, has very limited uses.

PUBLIC FACILITIES

Fire Service:

The Bensley Fire Station, Company Number 3, and Bensley Bermuda Volunteer Rescue Squad currently provide fire protection and emergency medical service. This development will have a minimal impact fire and EMS.

Transportation:

The property (6.3 acres) is currently zoned Community Business (C-3) and Light Industrial (I-1). The applicant is requesting rezoning of the entire property to General Business (C-5). This request will have a minimal impact on the traffic anticipated to be generated by development of the site. The property is located within the Jefferson Davis Highway Enterprise Zone. Based on the Board of Supervisors' policy regarding development within the Enterprise Zone, road improvements will not be required by the

County. Road improvements may be required by the Virginia Department of Transportation.

Traffic generated by this development will initially be distributed along the six-lane, divided section of Jefferson Davis Highway, which had a 2003 traffic count of 26,035 vehicles per day. Based on the volume of traffic it carried during peak hours, Jefferson Davis Highway in this location was functioning at an acceptable level. (Level of Service C)

During site plan review, specific recommendations will be provided regarding access and internal circulation.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Jefferson Davis Corridor Plan which suggests the property is appropriate for general commercial use.

Area Development Trends:

Properties to the north, south and east are zoned Community Business (C-3), General Business (C-5) and Heavy Industrial (I-3) and are occupied by commercial uses of various intensities and industrial use. It anticipated that these areas will continue to experience redevelopment that is both consistent with the Jefferson Davis Corridor Plan and encouraged through the flexible design criteria established in the Zoning Ordinance for Post Development Areas. Properties to the west are zoned R-7 and are occupied by single family residential use within Grindall Creek Park Subdivision.

Zoning History:

On May 23, 1979, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved rezoning of a portion of the request property from Community Business (B-2) to Light Industrial (M-1) with Conditional Use Planned Development to permit a reduction of the rear yard setback. The applicant proposed to construct a mini-storage facility on the property, but the zoning permitted other Light Industrial (M-1) uses.

Site Design:

The request property lies within the Jefferson Davis Highway Corridor District. The standards are designed to encourage redevelopment. New construction or redevelopment of the site must conform to the requirements of the Zoning Ordinance which address access, parking, landscaping, architectural treatment, setbacks, signs, pedestrian access, utilities and screening of dumpsters, loading areas and outside storage.

Use Limitations:

To address concerns of area citizens, the Proffered Condition precludes certain commercial uses.

CONCLUSION

The proposed zoning and land uses conform to the Jefferson Davis Corridor Plan which suggests the property is appropriate for general commercial use. In addition, the proposed zoning and land uses are representative of, and compatible with, existing and anticipated area development.

Given these considerations, approval of this request is recommended.

CASE HISTORY

Planning Commission Meeting (3/21/06):

The applicant accepted the recommendation. There was support present stating this use would improve the gateway into Chesterfield and provide a service to area residents.

On motion of Mr. Wilson, seconded by Mr. Litton, the Commission recommended approval and acceptance of the Proffered Condition on page 2.

AYES: Messrs. Wilson, Gecker, Bass and Litton.

ABSENT: Mr. Gulley.

The Board of Supervisors, on Wednesday, April 26, 2006, beginning at 7:00 p.m., will take under consideration this request.

City of Richmond

